



November 12, 2019

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**Via ECF**

The Honorable Jesse M. Furman  
United States District Court  
Southern District of New York  
40 Centre Street, Room 2202  
New York, NY 10007

**Gregory Morvillo**

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Re: *United States v. Jose Martinez-Diaz, et al.*, No. 16-cr-387 (JMF)

Dear Judge Furman:

The undersigned represents Jose Martinez-Diaz in the above captioned matter. We write to inform the Court that communications have irreparably broken down between us and Mr. Martinez-Diaz. As such, we request a conference with the Court as soon as possible regarding our legal representation of Mr. Martinez-Diaz. The following is not intended to waive Mr. Martinez-Diaz's attorney client privilege.

We have recently come to understand that Mr. Martinez-Diaz no longer wishes for our firm to represent him in his criminal matter. While we learned that replacement counsel would contact us to make a smooth transition, no one has contacted us as of yet. Finally, we have been instructed not to go to the MDC to see our client. What little communication there is, is taking place by email, which makes it very difficult on both the client and the attorneys.

Due to our inability to communicate with Mr. Martinez-Diaz, and with his sentencing memorandum due next week, we request a date as soon as practicable for the Court to address whether Mr. Martinez-Diaz's requires new counsel or has actually retained someone else to represent him. We are available at the Court's convenience to appear to resolve the matter.

The parties shall appear for a conference on November 20, 2019 at 2:30 p.m. in Courtroom 905 (note this is not the Court's regular courtroom). The sentencing submission deadline is ADJOURNED pending the conference.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE, LLP

BY: /s Gregory Morvillo

Gregory Morvillo

SO ORDERED.

A handwritten signature in black ink, appearing to read "Jesse M. Furman", written over the text "SO ORDERED." and the date "November 13, 2019".

November 13, 2019